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SENATE BILL 1586
By Kurita

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 21, Part 1, relative to the "Tennessee Application of Pesticides Act of 1978".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-21-102(16), is amended by deleting the subdivision in its entirety, and by substituting instead the following language:

(16) "Recertification" means the reauthorization every three (3) years by the commissioner to use, supervise the use of, buy or sell restricted use pesticides;

SECTION 2. Tennessee Code Annotated, Section 62-21-102(20), is amended by inserting the language "within a one hundred twenty (120) mile radius" between the language "physically present" and the language "at the time and place" so that the subdivision reads as follows:

(20) "Under the direct supervision" means any application or sale of a pesticide by a competent person acting under the instructions and control of a private applicator, commercial applicator or commercial pest control operator who is available if and when needed, even though such applicator or operator is not physically present within a one

hundred twenty (120) mile radius at the time and place the pesticide is applied, sold or bought; and

SECTION 3. Tennessee Code Annotated, Section 62-21-120, is amended by deleting the section in its entirety, and by substituting instead the following language:

(a) It is an offense for any person, required by this chapter to be chartered or licensed to engage in commercial pest control activities, to knowingly engage in such activity without first obtaining the required charter or license.

(b) Violation of subsection (a) is a Class A Misdemeanor.

(c) Each custom application of pesticides without the required charter or license constitutes a separate offense.

(d) Persons convicted under subsection (a) are ineligible to obtain a charter or license to engage in commercial pest control activities for a period of one (1) year from the date of such person's conviction of such offense.

SECTION 4. This act shall take effect July 1, 2001, the public welfare requiring it.